

Fred Blumling
American Energy Corporation
October 13, 2006
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Comment:

During the site visit on October 3, 2006, several trucks were seen accessing the coal processing plant, and significant dust emissions were observed on the haul roads around the plant as each truck passed. It did not appear the roadways had been watered recently, and had more truck traffic had been present, a visible emission violation for these roadways may have been documented. Thus, AEC is advised to make better efforts to ensure that its roadways (emissions unit F003) are operated in a manner that prevents fugitive dust emissions in excess of permit limitations.

Each of these violations can carry a maximum fine of \$25,000.00 per offense per day as provided by the Ohio Revised Code 3704.06. Acceptance by the Ohio EPA of a schedule for compliance does not constitute a waiver of the Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. The determination to pursue or decline to pursue such penalties in this case will be made by the Ohio EPA at a later date.

If you are unable to respond to any part of this request, within the time frame discussed above, please inform us and explain so that we may be of assistance. Should you have any questions, feel free to contact me at (740) 380-5245 or via email at kimbra.reinbold@epa.state.oh.us.

Sincerely,



Kimbra L. Reinbold
Division of Air Pollution Control
Southeast District Office

KLR/mlm

cc: Tom Kalman, DAPC/CO
Lisa Holcsher, USEPA